This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) ~~A cell-specific expression/replication vector that does not act to adult normal cells, wherein a transcriptional initiation regulatory region of a gene that expresses cell-specifically is integrated upstream of a predetermined gene, and a thymidine kinase gene that exists in said cell-specific expression/replication vector is used to suppress the replication at a desired period.~~ A vector comprising a transcriptional initiation regulatory region and a predetermined gene, and further comprising a thymidine kinase gene, wherein the transcriptional initiation regulatory region is integrated upstream from the predetermined gene, and further wherein the vector is not expressed or replicated in normal differentiated cells, wherein the transcriptional initiation regulatory region is a region including the base sequence shown in Seq. ID No. 1.

2. (canceled)

3. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~claim 2~~ claim 1, wherein the region including the base sequence shown in Seq. ID No. 1 is a region ~~including~~ within a human calponin gene promoter comprising a base sequence shown in Seq. ID No. 2.

4. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult~~

~~normal cells~~ according to claim 3, wherein the region including a base sequence shown in Seq. ID No. 2 is a region ~~including~~ within a base sequence shown in Seq. ID No. 3.

5. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to claim 1, wherein the transcriptional initiation regulatory region ~~of the gene that expresses cell-specifically comprises~~ consists of a base sequence wherein one or a few ~~base is~~ bases are deleted, substituted or added ~~in~~ to a base sequence shown in Seq. ID No. 1, Seq. ID No. 2 or Seq. ID No. 3, and is a region including a base sequence having a transcription initiation control activity.

6. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to any one of ~~claims 1 to 5~~ claims 1, 3, 4, or 5, wherein an enhancer is integrated upstream of the transcriptional initiation regulatory region.

7. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to claim 6, wherein the enhancer is a 4F2 enhancer.

8. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 7~~ claim 1, wherein a DNA that encodes a desired protein different from the predetermined gene is linked further downstream on the predetermined gene, and expresses the desired protein under the control of said transcriptional initiation regulatory region.

9. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to claim 8, wherein the DNA that encodes the desired protein is linked to the predetermined gene via an IRES (internal ribosomal entry site).

10. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 9~~ claim 1, wherein the DNA that encodes the desired protein is an apoptosis promotion-related gene.

11. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 9~~ claim 1, wherein the DNA that encodes the desired protein is a DNA that encodes a protein having a suppressive action of angiogenesis.

12. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 9~~ claim 1, wherein the DNA that encodes the desired protein is a DNA that encodes a protein having a suppressive action against cancer metastasis.

13. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 9~~ claim 1, wherein the DNA that encodes the desired protein is a DNA that encodes a protein having a suppressive action against cancer growth.

14. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult~~

~~normal cells~~ according to ~~any one of claims 1 to 13~~ claim 1, wherein the predetermined gene is a viral replication-related gene.

15. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to claim 14, wherein the viral replication-related gene is ICP4 or E1A.

16. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 15~~ claim 1, wherein the expression/replication vector is a viral vector.

17. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to claim 16, wherein the viral vector is a herpes simplex virus vector (HSV vector) or an adenoviral vector.

18. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 17~~ claim 1, wherein the vector is tumor cell-specific, proliferating smooth muscle-specific in tumor neovasculature, proliferating smooth muscle-specific in proliferating vascular lesion, proliferating mesangial cell-specific in glomerulonephritis, or proliferating myofibroblast-specific in fibrosis.

19. (currently amended) The ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 18~~ claim 1, wherein a DNA that encodes ribonucleotide reductase is deleted.

20. (currently amended) A method for expression/replication of a gene, protein or a peptide of a ~~cell-specific expression/replication~~ vector that ~~does not act to adult normal cells~~ is not expressed/replicated in normal differentiated cells, wherein the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1 is introduced into the cells and tissues of an organism, then expressed and replicated.

21. (currently amended) A method for suppressing the expression/replication of a gene, protein or a peptide of a ~~cell-specific expression/replication~~ vector according to claim 1 ~~that does not act to adult normal cells~~, wherein the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1 is introduced into the cells and tissues of an organism, then expressed and replicated, and the expression/replication of the ~~cell-specific expression/replication~~ vector is suppressed at a later desired period.

22. (currently amended) The method ~~for suppressing the expression/replication of a gene, protein or a peptide of a cell-specific expression/replication vector that does not act to adult normal cells~~ according to claim 21, wherein the suppression of the expression/replication of the ~~cell-specific expression/replication~~ vector is a suppression by using antiviral drugs including aciclovir and ganciclovir.

23. (currently amended) A method for detecting the in vivo distribution of a ~~cell-specific expression/replication~~ vector according to claim 1 ~~that does not act to adult normal cells~~, wherein

the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1 is introduced into the cells and tissues of an organism, then expressed and replicated, and ~~the~~ thymidine kinase activity by said ~~cell-specific expression/replication~~ vector is determined.

24. (currently amended) The method ~~for detecting the in vivo distribution of a cell-specific expression/replication vector that does not act to adult normal cells~~ according to claim 23, wherein the determination of the thymidine kinase activity is a determination by positron emission tomography using an uracil derivative FIAU labeled with ^{124}I.

25. (original) The method according to any one of claims 20 to 24, wherein the cells and tissues in the organism are tumor tissues, vascular or lymphatic vessel constriction tissues, nephritic tissues or fibrotic tissues.

26. (currently amended) A therapeutic drug comprising the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1.

27. (original) The therapeutic drug according to claim 26, wherein the therapeutic drug is against malignant tumor, fibrosis, proliferating vascular lesion or proliferating glomerulonephritis.

28. (original) The therapeutic drug according to claim 27, wherein the therapeutic drug is against malignant fibrous histiocytoma, gastrointestinal stromal tumor or uterine myoma.

29. (currently amended) A therapeutic method for fibrosis and malignant tumor, wherein the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1 is introduced into fibrotic tissues including lung and liver, or malignant tumor tissues including breast cancer, gastric cancer and pancreatic cancer, then a proliferating myofibroblast is selectively disrupted as a result of replication ~~of a~~ of the vector, and expression of a gene, protein and a peptide.

30. (currently amended) The therapeutic method ~~for fibrosis and malignant tumor~~ according to claim 29, wherein ~~its subject is~~ the therapy is directed against leiomyosarcoma, malignant fibrous histiocytoma, gastrointestinal stromal tumor or uterine myoma.

31. (currently amended) A therapeutic method for proliferating vascular lesion, wherein the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1 is introduced into blood vessel or lymphatic vessel constriction tissues or arteriosclerotic tissues and tissues with diabetic retinopathy, then a proliferating smooth muscle cell or a perivascular cell is selectively disrupted as a result of replication ~~of a~~ of the vector, and expression of a gene, protein or a peptide.

32. (currently amended) A therapeutic method for proliferating glomerulonephritis, wherein the ~~cell-specific expression/replication~~ vector ~~that does not act to adult normal cells~~ according to ~~any one of claims 1 to 19~~ claim 1 is introduced into a nephritic tissue, then a proliferating mesangial cell is selectively disrupted as a result of replication ~~of a~~ of the vector, and expression of a gene, protein or a peptide.

33. (currently amended) The therapeutic method according to any of claims 29 to 32, wherein the ~~cell-specific expression/replication~~ vector is administered to a vein or artery.

34. (currently amended) The therapeutic method according to ~~any one of claims 29 to 33~~ any of claims 29 to 32, wherein the expression/replication of the ~~cell-specific expression/replication~~ vector is suppressed at a desired period.

35. (currently amended) A method for producing a ~~cell-specific expression/replication~~ vector, wherein a virus mixed solution after homologous recombination including the ~~cell-specific expression/replication~~ vector according to ~~any one of claims 1 to 19~~ claim 1 is infected to a cell wherein the transcriptional initiation regulatory region of a gene that expresses cell-specifically can be activated or a cell that expresses said gene, and the expression of a gene integrated in the vector is used as an index to purify to a single clone by limiting dilution without using agarose overlay assay.

36. (currently amended) The method for producing the ~~cell-specific expression/replication~~ vector according to claim 35, wherein the cell is an ICP4 non-expressing cell.